

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

United States of America,

Plaintiff,

v.

Case No. 19-20498
Hon. Paul D. Borman

D-1 Alex Albert Castro,
also known as “Sniper,” and
D-2 Jason Dale Kechego,
also known as “J,”

Defendants.

**STIPULATION REGARDING THE EXCLUSION OF EVIDENCE OF
ALLEGED NEGLIGENCE OF THE BUREAU OF PRISONS OR ITS
EMPLOYEES (ECF No. 201)**

On June 2, 2022, the government filed a motion in limine seeking “to preclude the defendants from introducing and eliciting evidence regarding any action or inaction by [the Bureau of Prisons or its employees] to protect the victims in this case from the actions of defendants, as well as to preclude the introduction of any evidence of remedial actions taken by BOP after these offenses were committed” as irrelevant under Federal Rule of Evidence 401. (ECF No. 201). At the time of the filing of that motion, the defendants did not concur therein.

The defendants have since retained an expert witness regarding the Bureau of Prisons, and after consultation with that expert, now concur in the government's motion.

THEREFORE, IT IS AGREED AND STIPULATED between the undersigned counsel for the government and the defendants, that the defendants are precluded from introducing and eliciting evidence regarding any action or inaction by the Bureau of Prisons or its employees to protect the victims in this case from the actions of defendants, as well as to preclude the introduction of any evidence of remedial actions taken by the Bureau of Prisons or its employees after these offenses were committed.

IT IS FURTHER AGREED AND STIPULATED that the defendants are prohibited from introducing evidence at trial from which such precluded evidence may reasonably be inferred.

IT IS SO STIPULATED.

/s/ Frances Lee Carlson
Frances Lee Carlson
Assistant United States Attorney

/s/ Michael A. Rataj
Michael A. Rataj
Attorney for Alex Castro

/s/ Andrew R. Picek
Andrew R. Picek
Assistant United States Attorney
Dated: June 17, 2022

/s/ Henry M. Scharg
Henry M. Scharg
Attorney for Jason Kechego

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

United States of America,

Plaintiff,

v.

Case No. 19-20498
Hon. Paul D. Borman

D-1 Alex Albert Castro,
also known as “Sniper,” and
D-2 Jason Dale Kechego,
also known as “J,”

Defendants.

**ORDER EXCLUDING EVIDENCE OF ALLEGED NEGLIGENCE OF THE
BUREAU OF PRISONS OR ITS EMPLOYEES**

On June 2, 2022, the government filed a motion in limine seeking “to preclude the defendants from introducing and eliciting evidence regarding any action or inaction by [the Bureau of Prisons or its employees] to protect the victims in this case from the actions of defendants, as well as to preclude the introduction of any evidence of remedial actions taken by BOP after these offenses were committed” as irrelevant under Federal Rule of Evidence 401. (ECF No. 201).

The parties have now submitted a stipulation agreeing to the relief sought by the government. The Court finds the stipulation well taken. Therefore, pursuant to the government's motion (ECF No. 201) and the stipulation of the parties, IT IS HEREBY ORDERED that at trial in this matter:

1. The defendants are precluded from introducing and eliciting evidence regarding any action or inaction by the Bureau of Prisons or its employees to protect the victims in this case from the actions of defendants, as well as to preclude the introduction of any evidence of remedial actions taken by the Bureau of Prisons or its employees after these offenses were committed.
2. The defendants are prohibited from introducing evidence at trial from which such precluded evidence may reasonably be inferred.

SO ORDERED.

Dated: June 22, 2022

s/Paul D. Borman
Paul D. Borman
United States District Judge